



DEPARTMENT OF MANAGED HEALTH CARE CAREER EXECUTIVE ASSIGNMENT EXAMINATION ANNOUNCEMENT

California State Government supports equal opportunity to all regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age, sexual orientation, medical condition or pregnancy. It is an objective of the State of California to achieve a drug-free work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing Civil Service, and the special trust placed in public servants.

DEPARTMENT:	DEPARTMENT OF MANAGED HEALTH CARE	RELEASE DATE:	Tuesday, October 6, 2009
POSITION TITLE:	General Counsel, Office of the Director	FINAL FILING DATE:	Monday, October 19, 2009
CEA LEVEL:	CEA 3	EXTENDED FINAL FILING DATE:	
SALARY RANGE:	\$ 8,594.00 - \$ 9,476.00 / Month	BULLETIN ID:	10062009_4

POSITION DESCRIPTION

Under the direction of the Director, the General Counsel provides advice on legal and administrative matters to the Director, Chief Deputy Director, Assistant Deputy Directors and other members of the Executive Staff; functions as legal liaison between the Department of Managed Health Care (Department) and the Governor's Office, the Business, Transportation and Housing Agency, and Health Plan and Provider group legal affairs offices; ensures department-wide consistency in legal approaches and determinations provides strategic planning and policy direction on emerging legal issues and industry trends to ensure optimum health care service delivery; and works cooperatively with other executives to promote and uphold the mission of the department.

Acts as a principal legal advisor to the Director, Chief Deputy Director, Assistant Deputy Directors and other members of the Executive Staff on the laws and regulations under the regulatory jurisdiction of the Director as well as health care laws and other applicable laws. Sets statewide legal policy. Provides expertise and in-depth knowledge of all facets of the Knox-Keene Health Care Services Act. Provides legal advice and opinions to executive management staff in coordination with multiple legal disciplines and programs within the Department. Advises high-level administrative staff of the scope and limits of their authority in legal matters relating to their programs. Reviews all department legal opinions with statewide or industry-wide impact prior to release and prepares final opinions for the Director's review and signature. Provides oral briefings and presentations to the Director, Chief Deputy Director, Assistant Deputy Directors and other members of the Executive Staff on sensitive legal matters.

Represents the Department before the Governor's Office and Business, Transportation and Housing Agency on pertinent legal issues; acts as point person for legal inquiries and communications between the department and Health Plan and Provider group legal affairs offices; and represents the Department before other State, local, or federal governmental agencies in matters relating to the Department of Managed Health Care.

Monitors and provides input for the legal defense efforts of all lawsuits brought against the Director or the department represented by the Office of Enforcement, Office of Legal Services, the Attorney General, or other representation; coordinates litigation with the Attorney General and outside counsel; consults with trial counsel over strategy, litigation strengths and weaknesses; reviews pleadings and motions.

Works cooperatively with the Director, Chief Deputy Director, and Assistant Deputy Directors to work strategically toward department goals; improve and prioritize legal processes; align legal strategies with regulatory consistency; reduce inefficiencies, and to minimize unnecessary regulatory burden and cost. Provides high level legal policy development and oversight by monitoring emerging health plan issues to foster early resolution or to identify the need for department response. The incumbent participates in the review and finalization of all policies, regulations and processes that impact the department's regulatory authority.

MINIMUM QUALIFICATIONS

Applicants must meet the following minimum qualifications:

Either I

Must be a State civil service employee with permanent civil service status or who previously had permanent status in the State civil service.

Or II

Must be a current or former employee of the Legislature, with two or more consecutive years as defined in Government code § 18990.

Or III

Must be a current or former non-elected exempt employee of the Executive Branch with two or more consecutive years (excluding those positions for which salaries are set by statute) as defined in Government Code § 18992.

Or IV

Must be a person retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty as defined in Government Code § 18991.

SPECIAL REQUIREMENTS

Required to possess a law degree and membership in the California State Bar Association.

KNOWLEDGE AND ABILITIES

Applicants must demonstrate the ability to perform high administrative and policy – influencing functions effectively. Such overall ability requires possession of most of the following more specific knowledge and abilities:

- (1) Knowledge of the organization and functions of California State Government including the organization and practices of the Legislature and the Executive Branch; principles, practices, and trends of public administration, organization, and management; techniques of organizing and motivating groups; program development and evaluation; methods of administrative problem solving; principles and practices of policy formulation and development; and personnel management techniques; the department's

or agency's Equal Employment Opportunity Program objectives; and a manager's role in the Equal Employment Opportunity Program.

(2) Ability to plan, organize, and direct the work of multidisciplinary professional and administrative staff; analyze administrative policies, organization, procedures and practices; integrate the activities of a diverse program to attain common goals; gain the confidence and support of top level administrators and advise them on a wide range of administrative matters; develop cooperative working relationships with representatives of all levels of government, the public, and the Legislature and Executive branches; analyze complex problems and recommend effective courses of action; and prepare and review reports; and effectively contribute to the department's or agency's Equal Employment Opportunity objectives.

These knowledge and abilities are expected to be obtained from the following kinds of experience with substantial participation in the formulation, operation and/or evaluation of program policies (experience may have been paid or volunteer; in State service, other government settings, or in a private organization):

CEA Level 1. Supervisory/administrative experience in a line or staff activity, including the execution and/or evaluation of program policies.

CEA Levels 2 and 3. Broad administrative or program manager experience with substantial participation in the formulation, operation, and/or evaluation of program policies.

CEA Levels 4 and 5. Extensive managerial and program administrative experience which has included substantial responsibility for a combination of management functions such as program planning; policy formulation; organization coordination and control; and fiscal and personnel management. Where high technical professional qualifications are of primary importance in performing the duties of a given CEA position, then the above required experience may have been in a staff capacity exercising professional skills to influence and contribute to program, policy, and methods of providing those professional services. Primary examples are medical doctors and attorneys.

DESIRABLE QUALIFICATION(S)

Knowledge of: Legal principles and their applications; legal research methods, court procedures, rules of evidence and procedure; administrative law and the conduct of proceedings before administrative bodies; provisions of laws and Government Code sections administered and enforced; principles, practices and trends of public administration, organization and management; techniques of organizing and motivating groups; methods of administrative problem solving and program evaluation; principles and practices of policy formulation and development; and budgeting and finance principles. Ability to: Analyze legal principles and precedents and apply them to complex legal and administrative issues; present statements of fact, law, and arguments clearly and logically in written and oral form; draft opinions, pleadings, rulings, regulations and legislation; hold hearings and independently present difficult and complex cases in court; develop well-informed policies and procedures and evaluate program effectiveness; achieve defined objectives in a timely and cost effective manner; establish and monitor program priorities, goals and results; coordinate and integrate the work of multiple organizational segments, working groups and different projects;

review proposed laws, regulations and policies for implementation consistency; prepare complex reports and correspondence; analyze administrative, organizational and operational problems, procedures and practices, and develop timely and economical solutions; and establish and maintain effective working relationships with staff at all levels in the Department.

EXAMINATION INFORMATION

A minimum rating of 70% must be attained to obtain list eligibility. Hiring interviews may be conducted with the most qualified candidates. All candidates will receive written notification of their examination results. The result of this examination will be used only to fill the position of **General Counsel, Office of the Director**, with the **DEPARTMENT OF MANAGED HEALTH CARE**. Applications will be retained for twelve months.

The results of this examination will be used only to fill this position.

A preliminary review of all applications and resumes will occur immediately following the final filing date and "ranked" according to the applicant's experience, education and related background as it pertains to this position. Candidates with the most desirable qualifications will have their applications and resumes submitted to the Director and Chief Deputy Director, Department of Managed Health Care for further consideration and may or may not be scheduled for an interview. Therefore, it is imperative that applicants complete the application and resume thoroughly, specifically including the dates of employment, name of employer and description of duties performed. Please include your social security number for eligibility verification.

FILING INSTRUCTIONS

The State Examination Application (Form Std 678), Statement of Qualifications and resume must be postmarked by the U.S. Postal Service no later than the final filing date. Applications, Statement of Qualifications and resumes that are personally delivered must be received by the Department of Managed Health Care, Human Resources Office (Suite 500) no later than 5 P.M. on the final filing date.

Interested applicants must submit:

- A completed Standard State Application (Form 678).
- A "Statement of Qualifications". The Statement is a narrative discussion of how the candidate's education, training, experience, and skills meet the minimum and desirable qualifications and qualify them for the position. The Statement of Qualifications serves as a documentation of each candidate's ability to present information clearly and concisely in writing and should be typed and no more than three pages in length.
- Resumes do not take the place of the Statement of Qualifications.
- A resume is required to be attached to the application.

Applications must be submitted by the final filing date to:

DEPARTMENT OF MANAGED HEALTH CARE, Human Resources Office
980 9th Street, Suite 500, Sacramento, CA 95814
Tj Nguyen | 916-322-6864 | tnguyen@dmhc.ca.gov

SPECIAL TESTING

If you have a disability and need special testing arrangements, mark the appropriate box in Part 2 of

the "Examination Application." You will be contacted to make specific arrangements.

GENERAL INFORMATION

If you meet the requirements stated in this bulletin, you may take this examination, which is competitive. Possession of the entrance requirements does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of others who take this test, and all candidates who pass will be ranked according to their scores.

The DEPARTMENT OF MANAGED HEALTH CARE reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service law and rules and all competitors will be notified.

General Qualifications: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others.

Class specs: <http://www.dpa.ca.gov/textdocs/specs/s7/s7500.txt>